

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KIRK and RISE GLAZE, individually  
and as guardians ad litem to JERRUD  
GLAZE,

Plaintiffs,

v.

FOODMAKER INC. d/b/a Jack-In-The-  
Box Restaurants, et al.,

Defendants.

C93-1825 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The motion brought by Jerrud Collins to change the payee of an annuity contract with Symetra Life Insurance Company, docket no. 155, is DEFERRED and RENOTED to June 19, 2020. The Court's understanding is that this matter settled in January 1995 for the sum of approximately \$2.6 million. A trust that was established for the benefit of then minor Jerrud Glaze was scheduled to receive \$12,000 per year for the lifetime of Jerrud Glaze, guaranteed for 30 years, as well as the following payments:

March 15, 2010	\$ 50,000
March 15, 2011	\$ 50,000
March 15, 2012	\$ 50,000
March 15, 2013	\$ 50,000
March 15, 2014	\$ 50,000
March 15, 2019	\$ 300,000
March 15, 2021	\$ 450,000
March 15, 2023	\$ 675,000

1 See Am. Trust Agr. at 1-2, Ex. A to Burnett Decl. (docket no. 156).<sup>1</sup> For reasons not  
 2 explained in the pending motion, at the age of 20, Jerrud Glaze changed his name to  
 3 Jerrud Dale Collins. At the age of 23, Jerrud Collins executed a “declaration” to  
 4 terminate the trust; this document was not notarized or signed under penalty of perjury.  
 5 See id. at Ex. D (docket no. 156 at 34). In his own declaration, counsel has not indicated  
 6 how he has personal knowledge concerning the termination of the trust. See id. at ¶ 6  
 7 (docket no. 156 at 2). According to the pending motion, the original trustee, American  
 8 Guaranty and Trust Company, was acquired in 2006 by Royal Bank of Canada, but no  
 9 evidence has been provided that Royal Bank of Canada assumed the fiduciary duties of  
 10 American Guaranty and Trust Company or was substituted as trustee. A different entity,  
 11 known as RBC Trust Company (Delaware) Limited, has corresponded with Symetra Life  
 Insurance Company concerning the \$300,000 payment due in March 2019. See id. at  
 Exs. E & F (docket no. 156 at 36-37 & 39-41). A copy of Symetra Life Insurance  
 Company’s annuity contract has not been provided to the Court, and whether the contract  
 concerns only the \$300,000 payment that was due in March 2019 or also involves future  
 payments is unclear from the record. In light of the substantial sums at stake, the Court  
 is unwilling to grant the pending motion in the absence of additional information. A  
 supplemental brief and supporting materials, including notarized affidavits by Jerrud  
 Collins, concerning the termination of the trust, and by another person who can attest that  
 Jerrud Collins is the same person as Jerrud Glaze, as well as a copy of the annuity  
 contract at issue, shall be filed by the new noting date.

12 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of  
 13 record.

14 Dated this 2nd day of June, 2020.

15 William M. McCool  
 16 Clerk

17 s/Karen Dews  
 18 Deputy Clerk

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 21 <sup>1</sup> On May 26, 2020, approximately six days after counsel’s declaration was filed, the Court  
 22 directed the Clerk to seal the document because the attached Amended Trust Agreement contains  
 23 Jerrud Glaze’s full date of birth. Counsel is advised that, during the interim, his declaration  
 might have been uploaded onto publicly available websites that are unrelated to and outside the  
 control of the Court.